

Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 5/6/2015 12:37:17 PM
To: 'Cohen, Jacqueline' [jackie.cohen@mail.house.gov]; Schmit, Ryan [Ryan.Schmit@mail.house.gov]
Subject: HEC TSCA TA followup request on risk evaluation hurdle

Jacqueline,

On April 30 you asked for technical assistance on the following language:

“(A) the Administrator determines that a chemical substance may present a risk of injury to health or the environment because of potential hazard and a potential route of exposure under the intended conditions of use, or that a chemical substance meets the criteria for listing on EPA’s TSCA Work Plan described in the February 2012 Methods Document; or”

EPA responded on April 30 that the above language addresses the issue raised in the hearing on the potential risk evaluation hurdle.

On May 1 you asked if our response would change if the following language were used instead:

“(3) Conducting Risk Evaluation.—The Administrator shall conduct and publish the results of a risk evaluation under this subsection for a chemical substance if—

“(A) the Administrator determines that a chemical substance may present a risk of injury to health or the environment because of potential hazard and a potential route of exposure under the intended conditions of use, or that a chemical substance is listed on EPA’s TSCA Work Plan; or”

In response to your followup May 1 question, EPA suggests that “or that a chemical substance is listed” should be changed to “or a chemical substance is listed.” With this edit, the modified language still addresses the issue raised in the hearing on the potential risk evaluation hurdle.

The technical assistance is intended for use only by the requester. The technical assistance does not necessarily represent the policy positions of the agency and the administration on the bill, the draft language and the comments.

Please let me know if any additional questions. Thanks,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Cohen, Jacqueline [mailto:jackie.cohen@mail.house.gov]
Sent: Friday, May 01, 2015 4:34 PM
To: Kaiser, Sven-Erik
Cc: Schmit, Ryan
Subject: RE: HEC TSCA TA request on risk evaluation hurdle

It looks like we may only be able to get a slightly different version, that includes only those chemicals already on the workplan. Would that change the response?

From: Kaiser, Sven-Erik [<mailto:Kaiser.Sven-Erik@epa.gov>]
Sent: Thursday, April 30, 2015 7:43 PM
To: Cohen, Jacqueline
Cc: Schmit, Ryan
Subject: HEC TSCA TA request on risk evaluation hurdle

Jacqueline,

In response to your technical assistance request, the language below addresses the issue raised in the hearing on the potential risk evaluation hurdle.

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1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460

On Apr 30, 2015, at 6:24 PM, "Cohen, Jacqueline" <jackie.cohen@mail.house.gov> wrote:

Sven,

On the question of the hurdle to EPA conducting risk evaluations, we are having trouble getting to language that allows risk evaluations based on just hazard or just exposure. Here is one option that is currently being considered, and I would love TA on this tonight if possible:

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My questions are whether you see any technical issues with the drafting and whether this addresses the concern raised at the hearing that EPA would have to make additional findings, beyond what have already been made for the workplan, before pursuing a risk evaluation.

Jacqueline G. Cohen
Senior Counsel
Committee on Energy and Commerce, Democratic Staff
U.S. House of Representatives
jackeline.cohen@mail.house.gov
202-225-4407

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Sent: 5/5/2015 8:38:05 PM
To: 'Cohen, Jacqueline' [jackie.cohen@mail.house.gov]
Subject: HEC TSCA TA Request on Scientific Standards

Jacqueline,

This responds to your technical assistance request on scientific standards in the draft House bill. In EPA's view, The scientific standards language does not conflict with EPA's existing guidance, with the possible exception of the "sponsoring organizations" language of (h)(3): "the degree of clarity and completeness with which the data, assumptions, methods, quality assurance, **sponsoring organizations**, and analyses employed to generate the information are documented." The identity of the sponsoring organization is not something that EPA's current guidance identifies as a quality issue.

In terms of EPA's ability to implement such a provision, if by sponsoring organization the drafters of this language mean the organization that conducted and published or provided the study, that information would generally be available. If it's meant to mean the organization which **funded** the research (e.g., provided a grant to a university), which may be different than the organization which conducted and published it, EPA might find it difficult or impossible to obtain that information in many cases.

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Washington, DC 20460
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From: Cohen, Jacqueline [mailto:jackie.cohen@mail.house.gov]
Sent: Friday, April 17, 2015 2:47 PM
To: Kaiser, Sven-Erik
Subject: formal TA request

Sven,

We would like written TA on the discussion draft of the TSCA Modernization Act. One particular question that has come up is whether the scientific standards on pages 18-19 comports with EPA's existing guidance on scientific quality.

Jacqueline G. Cohen
Senior Counsel
Committee on Energy and Commerce, Democratic Staff
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jackeline.cohen@mail.house.gov
202-225-4407

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Sent: 5/4/2015 5:31:23 PM
To: 'Cohen, Jacqueline' [jackie.cohen@mail.house.gov]
Subject: RE: HEC TSCA TA Request on exposed subpopulations

Jacqueline – thanks for clarifying. I'll make sure to remind folks of the outstanding requests. Please let me know if any additional questions. Best,
Sven

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1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Cohen, Jacqueline [mailto:jackie.cohen@mail.house.gov]
Sent: Monday, May 04, 2015 1:30 PM
To: Kaiser, Sven-Erik
Subject: RE: HEC TSCA TA Request on exposed subpopulations

We are still waiting for the request we sent on Friday on the hurdle to risk evaluations.

From: Kaiser, Sven-Erik [mailto:Kaiser.Sven-Erik@epa.gov]
Sent: Monday, May 04, 2015 1:29 PM
To: Cohen, Jacqueline
Subject: HEC TSCA TA Request on exposed subpopulations

Jacqueline,
Thanks for the additional request – I'll get folks looking at it. Are we caught up otherwise on TA? There was an exchange on the risk evaluation hurdle on Friday that I'm not sure got resolved. Also, I think we still have a science quality question outstanding. Best,
Sven

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From: Cohen, Jacqueline [mailto:jackie.cohen@mail.house.gov]
Sent: Monday, May 04, 2015 1:22 PM
To: Kaiser, Sven-Erik
Subject: small TA request

In the definition of potentially exposed subpopulations, a concern was raised that the words "are at greater risk" would require a risk finding and should be changed to "may be at greater risk." We have suggested that change but there seems to be an interest instead in using the phrase "are likely to be at greater risk." We are looking for technical assistance on the phrase "are likely to be at greater risk" and specifically wondering if that would require EPA to make a specific finding.

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Sent: 5/4/2015 5:28:39 PM
To: 'Cohen, Jacqueline' [jackie.cohen@mail.house.gov]
Subject: HEC TSCA TA Request on exposed subpopulations

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Sent: 5/1/2015 8:51:06 PM
To: Cohen, Jacqueline [jackie.cohen@mail.house.gov]
CC: Schmit, Ryan [Ryan.Schmit@mail.house.gov]
Subject: Re: HEC TSCA TA request on risk evaluation hurdle

Can you please send the full provision? It needs the first part of the sentence to make sense. Thanks,
Sven

On May 1, 2015, at 4:33 PM, "Cohen, Jacqueline" <jackie.cohen@mail.house.gov> wrote:

It looks like we may only be able to get a slightly different version, that includes only those chemicals already on the workplan. Would that change the response?

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To: Cohen, Jacqueline
Cc: Schmit, Ryan
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Sent: 5/1/2015 8:38:13 PM
To: Cohen, Jacqueline [jackie.cohen@mail.house.gov]
Subject: Re: HEC TSCA TA request on risk evaluation hurdle

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Sent: 5/1/2015 4:16:13 PM
To: Jacqueline Cohen [jackie.cohen@mail.house.gov]
Subject: HEC TSCA TA on Risk Management and cost consideration
Attachments: Risk Management and Cost -- v2.docx; ATT00001.htm

Jacqueline,

We are working on the TA request on threshold considerations and will have something for you shortly. This responds to your earlier technical assistance request on TSCA risk management and cost considerations.

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Please let me know if any additional questions. Thanks,

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1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460

§ 6(a) (edits are to text of TSCA as already amended by the discussion draft)

(a) SCOPE OF REGULATION. If the Administrator determines under subsection (b) that the manufacture, processing, distribution in commerce, use, or disposal of a chemical substance or mixture, or that any combination of such activities, presents or will present an unreasonable risk of injury to health or the environment, the Administrator shall by rule apply one or more of the following requirements to such substance or mixture to the extent necessary to ~~protect adequately against such risk~~ **reduce or eliminate the identified risk so that any remaining risk of injury to health or the environment is not unreasonable within the meaning of (b)(4).**

Commented [A1]: To make clear that 6(b)(4) relates not only to the initial finding of unreasonable risk, but also to the analysis of how much risk reduction action is therefore "necessary."

These edits would not prevent EPA from considering cost when selecting among multiple options that are individually sufficient to achieve the necessary risk reduction.

§6(b) RISK EVALUATIONS.—

(1) IN GENERAL.—The Administrator shall conduct risk evaluations pursuant to this subsection to determine whether or not a chemical substance presents or will present, in the absence of requirements under subsection (a), an unreasonable risk of injury to health or the environment as described in subsection ~~(a)(b)(4)~~.

Commented [A2]: Subsection (a) doesn't actually clarify what an unreasonable risk is. Subsection (a) points to (b)(4) to clarify what an unreasonable risk is.

Similarly, this paragraph should point to (b)(4) to clarify what an unreasonable risk is.

(2) APPLYING REQUIREMENTS.—The Administrator shall apply requirements with respect to a chemical substance through a rule under subsection (a) only if the Administrator determines through a risk evaluation under this subsection that the chemical substance presents or will present, in the absence of such requirements, an unreasonable risk of injury to health or the environment as described in subsection ~~(a)(b)(4)~~.

Commented [A3]: Same justification as above

(3) CONDUCTING RISK EVALUATION.—The Administrator shall conduct and publish the results of a risk evaluation under this subsection for a chemical substance if—

(A) the Administrator finds a reasonable basis for concluding that the combination of hazard from and exposure to the chemical substance under the intended conditions of use has the potential to be high enough to present an unreasonable risk of injury to health or the environment, as described in subsection (b)(4); or

Commented [A4]: To avoid argument that a different meaning of unreasonable risk is intended, by the absence of reference to (b)(4).

(B) the manufacturer of a chemical substance requests such a risk evaluation.

(4) REQUIREMENTS.—In conducting a risk evaluation under this subsection, the Administrator shall—

(A) integrate and assess information on hazards and exposures for the intended conditions of use of the chemical substance, including information that is relevant to specific risks of injury to health or the environment and information on potentially exposed subpopulations, ~~but not including information on cost and other factors not directly related to health or the environment;~~

(B) take into account, where relevant, the likely duration, intensity, frequency, and number of exposures under the intended conditions of use of the chemical substance;

(C) describe the weight of the scientific evidence for identified hazard and exposure;

(D) consider whether the weight of the scientific evidence supports the identification of threshold doses of the chemical substance below which no adverse effects can be expected to occur; ~~and~~

(E) not consider cost or other factors not directly related to health or the environment; and

(EF) in the case of a risk evaluation requested by a manufacturer under paragraph (3)(B), ensure that the costs to the Environmental Protection Agency, including contractor costs, of conducting the risk evaluation are paid for by the manufacturer.

Commented [A5]: To avoid misunderstanding, this proviso should be broken out from (b)(4)(A) and made into a direct prohibition.

The problem with the prior drafting, in which the proviso is a dependent clause of (b)(4)(A), is that people may argue that (b)(4)(A) isn't really excluding cost from the analysis, but is merely excluding cost from the list of things that EPA must consider in the analysis.

Note: This TA does not address the further question of whether there are certain considerations (e.g., impact on critical uses) that might trump the general objective of ensuring that chemical risks are not unreasonable. The bill could be further amended to address this issue, but this TA does not attempt to do so.

Message

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Sent: 5/1/2015 2:20:45 PM
To: Cohen, Jacqueline [jackie.cohen@mail.house.gov]
Subject: Re: TA question on threshold

On it

On May 1, 2015, at 10:18 AM, "Cohen, Jacqueline" <jackie.cohen@mail.house.gov> wrote:

Sven,

Thank you for the quick response last night. We are still looking at the paragraph requiring EPA to consider whether the weight of the scientific evidence supports the identification of threshold doses. I know that Jim mentioned this paragraph in his testimony as a concern because it would lock in a concept that is not scientifically supported. We have tried to drop the paragraph completely, but I hear that many in industry feel the concept is important. Are there technical changes that could be made in the paragraph to bring it closer in line with current scientific understanding? An example might be a limitation on when threshold doses have to be considered or something along those lines.

I hate to rush you, but the sooner we can get some feedback on this, the more likely we are to be able to use it.

Jacqueline G. Cohen
Senior Counsel
Committee on Energy and Commerce, Democratic Staff
U.S. House of Representatives
jackeline.cohen@mail.house.gov
202-225-4407

Message

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Sent: 4/30/2015 11:43:49 PM
To: Cohen, Jacqueline [jackie.cohen@mail.house.gov]
CC: Schmit, Ryan [Ryan.Schmit@mail.house.gov]
Subject: Re: priority TA request

Jacqueline, the first email was correct, the second a missend. Thanks,
Sven

On Apr 30, 2015, at 7:42 PM, "Kaiser, Sven-Erik" <Kaiser.Sven-Erik@epa.gov> wrote:

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My questions are whether you see any technical issues with the drafting and whether this addresses the concern raised at the hearing that EPA would have to make additional findings, beyond what have already been made for the workplan, before pursuing a risk evaluation.

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Sent: 4/30/2015 11:42:44 PM
To: Cohen, Jacqueline [jackie.cohen@mail.house.gov]
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Sent: 4/30/2015 11:42:36 PM
To: Cohen, Jacqueline [jackie.cohen@mail.house.gov]
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Sent: 4/30/2015 10:30:14 PM
To: Cohen, Jacqueline [jackie.cohen@mail.house.gov]
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Jackie,
Got it- will see what we can do. Thanks,
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Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 4/30/2015 6:23:04 PM
To: 'Black, Jonathan (Tom Udall)' [Jonathan_Black@tomudall.senate.gov]
Subject: Sen. Udall Letter

Jonathan,
I and others here got the generous letters from Sen. Udall on TSCA reform. That was a nice gesture. Best,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 4/28/2015 1:40:06 PM
To: Enderle, Emily (Whitehouse) [Emily_Enderle@whitehouse.senate.gov]
Subject: Re: EPA's Position on TSCA Compromise

Emily,
We do not have a position on the bill or amendments. Still in technical assistance mode. Thanks,
Sven

On Apr 28, 2015, at 8:01 AM, "Enderle, Emily (Whitehouse)" <Emily_Enderle@whitehouse.senate.gov> wrote:

Hi Sven,

Thanks for being so responsive to my TA requests last week. Now that the compromise text is publicly available, does EPA have a formal or informal position on it that I can share with mt boss? Specific feedback (e.g. the decoupling of cost and other nonrisk factors from unreasonable risk helps clarify the intent) and/or general thoughts (e.g. it's more protective than current law, an improvement over the introduced version, it gives the agency more clarity, it would help protect health and the environment) would be appreciated.

Emily

Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 4/28/2015 1:34:08 AM
To: Black, Jonathan (Tom Udall) [Jonathan_Black@tomudall.senate.gov]
Subject: Re: Safer Chemicals Healthy Families response

Thanks

On Apr 27, 2015, at 9:31 PM, "Black, Jonathan (Tom Udall)" <Jonathan_Black@tomudall.senate.gov> wrote:

Doesn' t say support. Doesn' t say oppose. They do say...

Remaining issues that they oppose in the bill:

- High priority preemption
- We haven' t changed "substantial evidence"
- SNURs

<SCHF Letter on S. 697 Mark-up.pdf>

Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 9/15/2016 6:40:13 PM
To: Freedhoff, Michal (Markey) [Michal_Freedhoff@markey.senate.gov]
CC: Bogdanoff, Alec (Markey) [Alec_Bogdanoff@markey.senate.gov]
Subject: Re: first bill

Timing? Midweek to late?

On Sep 15, 2016, at 2:37 PM, Freedhoff, Michal (Markey) <Michal_Freedhoff@markey.senate.gov> wrote:

Sven

This is a document that is sort of a combined MASK Act as drafted as an amendment to title II of TSCA (it excludes the portions of MASK that are not TSCA amdts) with additional redlined text that adds in PCBs to some of the obligations in Title II. We tried to use your earlier TA to avoid giving EPA direction in Title II that it already provides for PCBs in Title I, but there may well be inconsistencies or redundancies that we have not already identified. We'd welcome any and all input.

Thanks

Michal

<09-14-16TSCATitleIIwithMASKPCB-ASB.docx>

Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 9/15/2016 12:55:41 PM
To: Freedhoff, Michal (Markey) [Michal_Freedhoff@markey.senate.gov]
CC: Bogdanoff, Alec (Markey) [Alec_Bogdanoff@markey.senate.gov]
Subject: RE: Sen. Markey PCB questions (set 2) corrected

Michal – I'm checking on the PCB definitional questions.

Also, R10 says they have reports for the summary chart. We need time to review and get them in the form of the other submissions. What's your deadline on the report? Thanks,
Sven

Sven-Erik Kaiser
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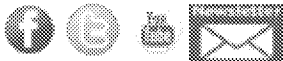
From: Freedhoff, Michal (Markey) [mailto:Michal_Freedhoff@markey.senate.gov]
Sent: Wednesday, September 14, 2016 5:26 PM
To: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Cc: Bogdanoff, Alec (Markey) <Alec_Bogdanoff@markey.senate.gov>
Subject: RE: Sen. Markey PCB questions (set 2) corrected

Another option could be what is below – if this works better, can you send me what “XXX” needs to be?

(5) POLYCHLORINATED BIPHENYL-CONTAINING MATERIAL. – The term “PCB-containing material” means liquid-PCB-filled electrical equipment (as defined in XXX), manufactured building materials containing non-liquid PCBs at concentrations of greater than 50 parts per million, or any material that has been contaminated by a spill or release of PCBs in concentrations greater than 50 parts per million.

Michal Ilana Freedhoff, Ph.D.
Director of Oversight & Investigations
Office of Senator Edward J. Markey
255 Dirksen Senate Office Building
Washington, DC 20510
202-224-2742

Connect with Senator Markey



From: Freedhoff, Michal (Markey)
Sent: Wednesday, September 14, 2016 5:07 PM
To: 'Kaiser, Sven-Erik'
Cc: Bogdanoff, Alec (Markey)
Subject: RE: Sen. Markey PCB questions (set 2) corrected

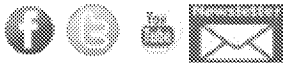
Sven:

Does this definition of PCB-containing material work?

(5) POLYCHLORINATED BIPHENYL-CONTAINING MATERIAL. – The term “PCB-containing material” means a fluorescent light ballast that contains a liquid-PCB-filled capacitor, manufactured building materials containing non-liquid PCBs at concentrations of greater than 50 parts per million, or any material that has been contaminated by a spill or release of PCBs in concentrations greater than 50 parts per million.

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Director of Oversight & Investigations
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255 Dirksen Senate Office Building
Washington, DC 20510
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Connect with Senator Markey



From: Kaiser, Sven-Erik [<mailto:Kaiser.Sven-Erik@epa.gov>]
Sent: Friday, September 09, 2016 3:09 PM
To: Freedhoff, Michal (Markey)
Cc: Bogdanoff, Alec (Markey)
Subject: RE: Sen. Markey PCB questions (set 2) corrected

Michal – please use this corrected version instead. Thanks,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Kaiser, Sven-Erik
Sent: Friday, September 09, 2016 2:33 PM
To: 'Freedhoff, Michal (Markey)' <Michal_Freedhoff@markey.senate.gov>
Cc: Bogdanoff, Alec (Markey) <Alec_Bogdanoff@markey.senate.gov>
Subject: Sen. Markey PCB questions (set 2)

Michal,
Attached are responses to questions 2, 8, and 12. The remaining questions (4, 9, and 10) are being worked on. Please let me know if any additional questions. Thanks,
Sven

Sven-Erik Kaiser
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Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Freedhoff, Michal (Markey) [mailto:Michal_Freedhoff@markey.senate.gov]
Sent: Tuesday, July 19, 2016 5:59 PM

To: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Cc: Bogdanoff, Alec (Markey) <Alec_Bogdanoff@markey.senate.gov>
Subject: PCB questions

Sven

Here are a bunch of questions for your team – thanks. It would be great to get your sense of how long these will take to respond to. It is fine with me if you respond to them as you get each one answered - no need to wait til they are all done if you think some will take longer than others. I've attached our MASK Act, which I know you've looked at before, for your reference.

Thanks
michal

1. Do contractors that are remediating PCB-containing building materials like those that might be found in schools require special accreditation the way asbestos-workers do? if not, should they, or is the removal of such materials less complicated to do? what about inspectors? Title II of TSCA goes on at some length about the types of courses and certifications that are required by asbestos contractors and inspectors – is something like this needed (or is it already in the 6e rules) for PCBs?
2. Title II of TSCA defines ASBESTOS-CONTAINING MATERIAL.—The term “asbestos- containing material” means any material which contains more than 1 percent asbestos by weight. I know you are in the midst of re-drafting your PCB rules. Would a definition of PCB-CONTAINING MATERIAL which I drew from your 1998 PCB regulation make sense, or are there different/more items I should be considering?

“The term polychlorinated biphenyl-containing material means 1) a fluorescent light ballast that contains more than 50 parts per million in the insulating material which fills the space between the functioning parts of the ballast and its outer metal covering, 2) a nonliquid material containing polychlorinated biphenyls at concentrations of more than 50 parts per million but less than 500 parts per million [QUESTION – WOULD THIS CAPTURE CAULK AND PAINT, AND WHY THE 500 PPM MAX?] AND 3) DO I NEED TO WORRY ABOUT PCB-CONTAINING ELECTRICAL EQUIPMENT IN SCHOOLS OR OTHER THINGS BESIDES WHAT IS LISTED IN THIS DRAFT DEFINITION?,

3. Title II of TSCA contains the following definition: (12) RESPONSE ACTION.—The term “response action” means methods that protect human health and the environment from asbestos-containing material. Such methods include methods described in chapters 3 and 5 of the Environmental Protection Agency’s “Guidance for Controlling Asbestos-Containing Materials in Buildings.” Are these the analogous PCB documents listed below? If so, can you pls send the right URLs (all the links are broken), and if not, can you pls send the right materials?

EPA and Federal Partners

- [Fact Sheets for Schools and Teachers about PCB-Contaminated Caulk](#) from EPA provides information about PCBs in caulk used in some buildings, including schools, in the 1950s through the 1970s and offers suggestions on what to say to children about PCBs to encourage proper precautions. The website includes:
 - [Fact Sheet for Schools: PCBs in Caulk School Checklist \(PDF\)](#) (1pp, 106KB)
- [PCB-Containing Fluorescent Light Ballasts in School Buildings: A Guide for School Administrators and Maintenance Personnel](#) from EPA provides information on the risks posed by PCBs in light ballasts, how to properly handle and dispose of these items and how to properly retrofit school lighting fixtures to remove potential PCB hazards.

- [PCBs in Caulk in Older Buildings](#) on the EPA website offers background information, steps to minimize exposure, testing methods and a schools information kit.

4. Title II of TSCA refers to “least burdensome” in several places . Would it be better to delete these references?
5. Title II of TSCA tells EPA to prescribe transportation and disposal regulations for asbestos-containing waste. I am assuming that your 6(e) regs (and any revisions thereto) would cover this for PCBs, right?
6. Title II of TSCA requires warning labels to be placed in maintenance areas when inspections discover asbestos-containing materials. It is not clear to me that a similar label should be required for PCB-containing materials in schools given the different nature of these materials. Does EPA have a technical view?
7. Title II of TSCA says you can only update the asbestos removal guidance through rulemaking. Is it typical to require guidance updates to be done by rule, and if not, would it make sense to delete that requirement in this case?
8. Title II of TSCA describes an inspection standard and methodology that must be met for asbestos: Either a scanning electron microscope or a transmission electron microscope shall be used to determine the ambient interior concentration. In the absence of reliable measurements, the ambient exterior concentration shall be deemed to be—
 - (A) less than 0.003 fibers per cubic centimeter if a scanning electron microscope is used, and
 - (B) less than 0.005 fibers per cubic centimeter if a transmission electron microscope is used.

Does EPA still believe that this is the right methodology and standard? If not, what is?
Is there an analogous standard and methodology for PCBs and if so what is it?

9. As I gather from other TA, the Asbestos Trust Fund won’t really exist anymore soon:
“The asbestos loan program is a direct loan program managed under the Credit Reform Act of 1990 (CRA). The issuance of new asbestos loans under the program officially ended in 1993. Subsequently, all remaining loan activity since 1993 has occurred for managing loan repayment/collection activities in accordance with the CRA and Debt Collection Act requirements. The Credit Reform Act of 1990 precludes Agencies from repurposing funds for other needs. All asbestos loan related funds under the loan program are managed in accordance with the CRA, which specifically identifies how to manage collections received. Because FY 2016 serves as the final subsidy closing re-estimate year for the asbestos direct loan program, all of the remaining balances related to the Act requirements (including the \$32,189.20 amount) are expected to be zeroed out prior to September 30, 2016 in close-out transactions at the end FY 2016. Although the funds may look available, they are not. The funds are tied to the Asbestos loan program, which is managed under the Credit Reform Act of 1990. The CRA identifies the process for final closing re-estimates. The final Asbestos loan closing re-estimate is in process and will sweep all of the account balances to Treasury prior to September 30, 2016.”

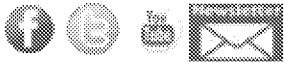
But the statutory text does not talk about loans. It talks about grants. I’m confused about your TA as well as what we might need to do legislatively to reverse the outcome you’ve described above, or specify that the program is managed under the credit reform act of 1990. Can you please help me understand the statutory basis for your TA above as well as what a statutory remedy might be?

For purposes of this sub-section, a “violation” means a failure to comply with respect to a single school building. The court shall order that any civil penalty collected under this subsection be used by the local educational agency for purposes of complying with this title. Any portion of a civil penalty remaining unspent after compliance by a local educational agency is completed shall be deposited into the Asbestos Trust Fund established by section 5 of the Asbestos Hazard Emergency Response Act of 1986.

10. The MASK Act authorizes \$10 mill/year for enforcement of asbestos requirements. If the bill was drafted to expand to PCBs as well, would EPA need more resources, and if so, how much?
11. Does the asbestos ombudsman still exist at EPA, and does the role work as envisioned? Should it be expanded to include PCBs?
12. Title II of TSCA required EPA to do a one-time study of where asbestos is in public bldgs.. The MASK Act requires these to be redone every 10 years. Would there be a benefit to a similar PCB study?

Michal Ilana Freedhoff, Ph.D.
Director of Oversight & Investigations
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255 Dirksen Senate Office Building
Washington, DC 20510
202-224-2742

Connect with Senator Markey



Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 9/13/2016 4:48:32 PM
To: Freedhoff, Michal (Markey) [Michal_Freedhoff@markey.senate.gov]
Subject: RE: Sen. Markey Inquiry on PCB Funding - correction

Michal – correction on the PCB numbers. Apologies,
Sven

Federal and State Inspection data FY2010-2015

TSCA STAG Compliance Monitoring Cooperative Agreements/Grants-PCB Program ¹						
	2010	2011	2012	2013	2014	2015
PCB funding ¹	\$1,080,000	\$1,018,000	\$1,094,000	\$1,130,000	\$876,047 \$923,000	\$923,000 \$914,000
# of state inspections	365	344	323	324	339	346

1. The funds labeled PCB are for PCBs only. TSCA STAG covers PCB, Lead-based paint, asbestos AHERA; however, nine states receive PCB STAG funds to conduct PCB inspections using federal credentials on behalf of EPA.

EPA PCB Inspections						
	2010	2011	2012	2013	2014	2015
# of EPA inspections	136	150	89	68	64	60

Sven-Erik Kaiser
U.S. EPA
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1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 9/13/2016 3:15:02 PM
To: Freedhoff, Michal (Markey) [Michal_Freedhoff@markey.senate.gov]
Subject: Sen. Markey Inquiry on PCB Funding

Michal,
Please see the chart below and let me know if any followup questions. Thanks,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

Sen. Markey Inquiry on PCB STAG grants

- Could we get inspection data and STAG data for the past 5 years?
- What's the plan for FY16?

Federal and State Inspection data FY2010-2015

TSCA STAG Compliance Monitoring Cooperative Agreements/Grants-PCB Program ¹						
	2010	2011	2012	2013	2014	2015
PCB funding ¹	\$1,080,000	\$1,018,000	\$1,094,000	\$1,130,000	\$876,047	\$923,000
# of state inspections	365	344	323	324	339	346

1. The funds labeled PCB are for PCBs only. TSCA STAG covers PCB, Lead-based paint, asbestos AHERA; however, nine states receive PCB STAG funds to conduct PCB inspections using federal credentials on behalf of EPA.

EPA PCB Inspections						
	2010	2011	2012	2013	2014	2015
# of EPA inspections	136	150	89	68	64	60

What's the Plan for FY16?

OECA's Compliance Monitoring Cooperative Agreements/Grants for TSCA allocates funds for asbestos, lead-based paint and PCB programs. As specified in the OECA FY 2016 National Program Managers Guidance (NPMG), 90% of those funds should focus on lead activities; however, up to 20% of the funds can be shifted to other TSCA activities identified in the NPMG. The Guidance directs EPA's PCB efforts to focus on nationally

significant issues that pose the greatest risk to human health in each region and maintain some field presence at EPA-approved commercial PCB storage and disposal facilities. The NPMG also calls upon the nine states covered by the cooperative agreements to implement work agreed upon with their respective region and specified in their cooperative agreement.

EPA regions opting to engage in compliance monitoring and assurance activities under the PCB program are to focus inspections, case development and enforcement on the following potential areas of significant risk: PCB treatment and storage facilities, non-TSD locations (e.g., natural gas pipelines, used oil facilities, potential PCB-containing abandoned structures), tips and complaints, and oil recyclers, etc. OECA is continuing to evaluate enforcement options for PCBs in building materials used in schools. EPA's [Polychlorinated Biphenyls \(PCBs\) in Building Materials](#) webpage provides the Agency's updated guidance for school administrators and building owners, including information about managing PCBs in building materials to help minimize possible exposures to building occupants.

From: Freedhoff, Michal (Markey) [mailto:Michal_Freedhoff@markey.senate.gov]

Sent: Wednesday, July 06, 2016 3:11 PM

To: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>

Subject: RE: Sen. Markey Inquiry on PCB STAG grants

Ok, sorry, more followups

- Could we get inspection data and STAG data for the past 5 years?
- What's the plan for FY16?

Thanks
michal

Michal Ilana Freedhoff, Ph.D.
Director of Oversight & Investigations
Office of Senator Edward J. Markey
255 Dirksen Senate Office Building
Washington, DC 20510
202-224-2742

Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 9/9/2016 8:17:13 PM
To: Bogdanoff, Alec (Markey) [Alec_Bogdanoff@markey.senate.gov]
CC: Freedhoff, Michal (Markey) [Michal_Freedhoff@markey.senate.gov]
Subject: RE: Sen. Markey Inquiry on Schools with PCB issues

Alec,
This responds to the followup request on the chart of schools with PCB issues. We are still working on the last question regarding more details on the Region 10 submission. Please let me know if any additional questions.
Thanks,
Sven

- Why was the Kennedy Center listed for Region 3?

Response: The Kennedy Center was listed mistakenly.

- Why is Sky Valley Education Center in Monroe, WA listed under Region 5 and not Region 10?

Response: Region 10 asked Region 5 to provide inspection resources through Region 5's TSCA program, and legal support through Region 5s Office of Regional Counsel.

- For Region 7, the list of two universities have the exact same description down to "two building." I just want to confirm that the descriptions should be the same.

Response: Yes, the descriptions should be the same. Both had a similar situation.

- In Region 8 where none were reported is that because they did not provide a list or have they not dealt with any schools regarding PCBs?

Response: Region 8 has not dealt with any schools regarding PCBs.

- Are there any details available for Region 10? They provide numbers of schools and universities with PCB issues, but no specific list like the other regions.

Response: pending

Sven-Erik Kaiser
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202-566-2753

From: Bogdanoff, Alec (Markey) [mailto:Alec_Bogdanoff@markey.senate.gov]
Sent: Tuesday, August 30, 2016 2:33 PM
To: Kaiser, Sven-Erik <Kaiser.Sven-Erik@epa.gov>
Cc: Freedhoff, Michal (Markey) <Michal_Freedhoff@markey.senate.gov>
Subject: RE: Sen. Markey Inquiry on Schools with PCB issues

Good afternoon Sven,

I have a few questions regarding the list of schools you sent us; see below. We also have some outstanding unanswered questions from Michal on PCBs, and would like to know when we can expect a response?

Thanks,

Alec

- Why was the Kennedy Center listed for Region 3?
- Why is Sky Valley Education Center in Monroe, WA listed under Region 5 and not Region 10?
- For Region 7, the list of two universities have the exact same description down to "two building." I just want to confirm that the descriptions should be the same.
- In Region 8 where none were reported is that because they did not provide a list or have they not dealt with any schools regarding PCBs?
- Are there any details available for Region 10? They provide numbers of schools and universities with PCB issues, but no specific list like the other regions.

Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 1/27/2015 8:44:14 PM
To: Zipkin, Adam (Booker) [Adam_Zipkin@booker.senate.gov]
CC: Sharma, Arohi (Booker) [Arohi_Sharma@booker.senate.gov]
Subject: Re: Sen. Booker Briefing Request on TSCA

That would be great.

On Jan 27, 2015, at 3:34 PM, "Zipkin, Adam (Booker)" <Adam_Zipkin@booker.senate.gov> wrote:

Hello Sven -- Adrian Deveny from Senator Merkley's office is handling TSCA issues for his boss and also has some questions. Would it be ok if he joined us for our meeting tomorrow?

From: Kaiser, Sven-Erik [mailto:Kaiser.Sven-Erik@epa.gov]
Sent: Monday, January 26, 2015 1:23 PM
To: Zipkin, Adam (Booker)
Cc: Sharma, Arohi (Booker)
Subject: RE: Sen. Booker Briefing Request on TSCA

Adam,
Yes -- that works, will resend scheduler. Best,
Sven

Sven-Erik Kaiser
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From: Zipkin, Adam (Booker) [mailto:Adam_Zipkin@booker.senate.gov]
Sent: Monday, January 26, 2015 12:54 PM
To: Kaiser, Sven-Erik
Cc: Sharma, Arohi (Booker)
Subject: RE: Sen. Booker Briefing Request on TSCA

Got it. Could we do Wednesday 1/28 at 1:30?

From: Kaiser, Sven-Erik [mailto:Kaiser.Sven-Erik@epa.gov]
Sent: Monday, January 26, 2015 11:29 AM
To: Zipkin, Adam (Booker)
Cc: Sharma, Arohi (Booker)
Subject: RE: Sen. Booker Briefing Request on TSCA

Adam -- The dates and times were for Weds and Thurs. Tuesday didn't work at all unfortunately. Thanks,
Sven

Sven-Erik Kaiser
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From: Zipkin, Adam (Booker) [mailto:Adam_Zipkin@booker.senate.gov]
Sent: Saturday, January 24, 2015 7:39 PM
To: Kaiser, Sven-Erik
Cc: Sharma, Arohi (Booker)
Subject: Re: Sen. Booker Briefing Request on TSCA

Sven just so I am clear - are those times you are proposing below for Tuesday (27th) and Weds (28th) - or for Weds (28th) and Thurs (29th)?

From: Kaiser, Sven-Erik [<mailto:Kaiser.Sven-Erik@epa.gov>]
Sent: Thursday, January 22, 2015 02:52 PM
To: Zipkin, Adam (Booker)
Cc: Sharma, Arohi (Booker)
Subject: RE: Sen. Booker Briefing Request on TSCA

Adam – is it possible to move it earlier or to the next day?

Jan 28 btwn 1:00pm – 3:00p
Jan 29 btwn 10:00a – 12:00p

Thanks,
Sven

Sven-Erik Kaiser
U.S. EPA
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1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Zipkin, Adam (Booker) [mailto:Adam_Zipkin@booker.senate.gov]
Sent: Wednesday, January 21, 2015 9:53 AM
To: Kaiser, Sven-Erik
Cc: Sharma, Arohi (Booker)
Subject: RE: Sen. Booker Briefing Request on TSCA

Tuesday at 3 would work. Who will be attending the meeting?

From: Kaiser, Sven-Erik [<mailto:Kaiser.Sven-Erik@epa.gov>]
Sent: Wednesday, January 21, 2015 9:42 AM
To: Zipkin, Adam (Booker)
Subject: RE: Sen. Booker Briefing Request on TSCA

Adam, next Tues is actually Jan 27. Thanks,
Sven

Sven-Erik Kaiser
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Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Kaiser, Sven-Erik
Sent: Wednesday, January 21, 2015 9:40 AM
To: 'Zipkin, Adam (Booker)'
Subject: RE: Sen. Booker Briefing Request on TSCA

Adam,
I hate to do this, we have a schedule problem and I need to move the briefing to next week. What about Tues, Jan 28 at 3pm. Apologies,
Sven

Sven-Erik Kaiser
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Washington, DC 20460
202-566-2753

From: Zipkin, Adam (Booker) [mailto:Adam_Zipkin@booker.senate.gov]
Sent: Tuesday, January 20, 2015 8:30 PM
To: Kaiser, Sven-Erik
Subject: RE: Sen. Booker Briefing Request on TSCA

Thursday at 11 would be great – thanks Sven.

From: Kaiser, Sven-Erik [<mailto:Kaiser.Sven-Erik@epa.gov>]
Sent: Tuesday, January 20, 2015 5:33 PM
To: Zipkin, Adam (Booker)
Subject: FW: Sen. Booker Briefing Request on TSCA

Adam, do you have any time tomorrow afternoon – How about 2pm on Weds, Jan 21. We have 1-4 open. If that doesn't work, how about Thurs, Jan 22 at 11? Thanks,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Zipkin, Adam (Booker) [mailto:Adam_Zipkin@booker.senate.gov]
Sent: Friday, January 16, 2015 2:35 PM
To: Kaiser, Sven-Erik
Subject: RE: Sen. Booker Briefing Request on TSCA

Wednesday afternoon and Thursday morning are currently open.

From: Kaiser, Sven-Erik [<mailto:Kaiser.Sven-Erik@epa.gov>]
Sent: Friday, January 16, 2015 1:35 PM
To: Zipkin, Adam (Booker)
Subject: Sen. Booker Briefing Request on TSCA

Adam,
Thanks for the briefing request. I'll check folks schedules and let you know some availabilities.
Best days and times for you next week? Best,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Zipkin, Adam (Booker) [<mailto:Adam.Zipkin@booker.senate.gov>]
Sent: Friday, January 16, 2015 1:26 PM
To: Kaiser, Sven-Erik
Subject: RE: Sen. Booker contact on TSCA

Sven as discussed, we would like to discuss TSCA reform with appropriate EPA staff -- could we please try to set up a briefing for next week? Thanks. Adam

Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 6/9/2015 3:08:46 PM
To: 'Freedhoff, Michal (Markey)' [Michal_Freedhoff@markey.senate.gov]; Joseph, Avenel (Markey) [Avenel_Joseph@markey.senate.gov]
Subject: RE: Sen. Markey TSCA TA Request on Preemption Waiver

Michal – 4pm today works. Please call Personal Phone / Ex. 6 code Personal Phone / Ex. 6 Thanks,
Sven

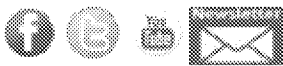
Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Freedhoff, Michal (Markey) [mailto:Michal_Freedhoff@markey.senate.gov]
Sent: Tuesday, June 09, 2015 10:34 AM
To: Kaiser, Sven-Erik; Joseph, Avenel (Markey)
Subject: RE: Sen. Markey TSCA TA Request on Preemption Waiver

Yes, I do. I have btw 1-2 or after 4.

Michal Ilana Freedhoff, Ph.D.
Director of Oversight & Investigations
Office of Senator Edward J. Markey
255 Dirksen Senate Office Building
Washington, DC 20510
202-224-2742

Connect with Senator Markey



From: Kaiser, Sven-Erik [mailto:Kaiser.Sven-Erik@epa.gov]
Sent: Tuesday, June 09, 2015 10:32 AM
To: Freedhoff, Michal (Markey); Joseph, Avenel (Markey)
Subject: Sen. Markey TSCA TA Request on Preemption Waiver

Michal – we're having issues sorting through the language. Do you have time today for a call with OGC?
Please let me know availabilities. Thanks,
Sven

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From: Freedhoff, Michal (Markey) [mailto:Michal_Freedhoff@markey.senate.gov]
Sent: Monday, June 08, 2015 11:04 AM
To: Kaiser, Sven-Erik; Freedhoff, Michal (Markey)
Cc: Joseph, Avenel (Markey)
Subject: another TA request - second version of waiver language

Sven:

Pasted below is a second version of a waiver process re-draft. This one does include some policy changes, namely, we've eliminated some of the 'stop start' issues and added a timeline for judicial review for the 18a waiver as well. We'd like any TA you may have on this.

Thanks
Michal

“(2) REQUIRED EXEMPTIONS.—Upon application of a State or political subdivision of a State, the Administrator shall exempt from subsection (b) a statute or administrative action of a State or political subdivision of a State that relates to the effects of exposure to a chemical substance under the conditions of use if the Administrator determines that—

“(A) compliance with the proposed requirement of the State will not unduly burden interstate commerce in the manufacture, processing, distribution in commerce, or use of a chemical substance;

“(B) compliance with the proposed requirement would not cause a violation of any applicable Federal law, rule, or order; and

“(C) the State or political subdivision of a State has a concern about the chemical substance or use of the chemical substance based in peer-reviewed science.

“(3) DETERMINATION OF A STATE WAIVER REQUEST.—The duty of the Administrator to grant or deny a waiver application shall be nondelegable and shall be exercised—

“(A) not later than 180 days after the date on which an application under paragraph (1) is submitted; and

“(B) not later than 90 days after the date on which an application under paragraph (2) is submitted.

“(4) FAILURE TO MAKE DETERMINATIONS.—

(A) If the Administrator fails to grant or deny a waiver application under paragraph (3)(B) during the 90-day period beginning on the date on which an application under paragraph (2) is submitted, the application of a State or political subdivision of a State under paragraph (2) shall be automatically approved.

(B) If the Administrator fails to meet the deadline under section 6(a)(4) (including an extension granted under section 6(a)(6)), the application of a State or political subdivision of a State under paragraph (2) shall be automatically approved, and such approval shall not be considered final agency action or be subject to judicial review or public notice and comment.

“(5) NOTICE AND COMMENT.—Except in the case of an application approved under paragraph (4)(B), the application of a State or political subdivision of the State shall be subject to public notice and comment.

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“(7) DURATION OF WAIVERS.— Except as provided in paragraph (8), a waiver approved under paragraph (2) or (4)(B) shall remain in effect until such time as the safety assessment and safety determination is completed. ;

“(8) JUDICIAL REVIEW OF WAIVER REQUEST.—

(A) IN GENERAL --Not later than 60 days after the date on which the Administrator

- (i) grants or denies a waiver application of a State or political subdivision of the State under paragraph (1) or (2), or
- (ii) fails to grant or deny a waiver application of a State or political subdivision of a State under paragraph (3),

any person may file a petition for judicial review in the United States Court of Appeals for the District of Columbia Circuit, which shall have exclusive jurisdiction over the determination.

(B) REQUIRED WAIVER APPROVAL – A waiver application of a State or political subdivision of a State under paragraph (2) that is the subject of a petition for judicial review under paragraph (8) shall be deemed to be approved on the earlier of

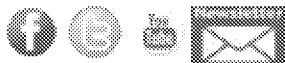
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Michal Ilana Freedhoff, Ph.D.
Director of Oversight & Investigations
Office of Senator Edward J. Markey
255 Dirksen Senate Office Building
Washington, DC 20510
202-224-2742

Connect with Senator Markey



Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 6/9/2015 2:31:39 PM
To: 'Freedhoff, Michal (Markey)' [Michal_Freedhoff@markey.senate.gov]; Joseph, Avenel (Markey) [Avenel_Joseph@markey.senate.gov]
Subject: Sen. Markey TSCA TA Request on Preemption Waiver

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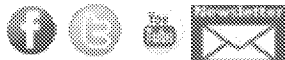
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Director of Oversight & Investigations
Office of Senator Edward J. Markey
255 Dirksen Senate Office Building
Washington, DC 20510
202-224-2742

Connect with Senator Markey



Appointment

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 1/26/2015 6:25:14 PM
To: 'Zipkin, Adam (Booker)' [Adam_Zipkin@booker.senate.gov]; 'Sharma, Arohi (Booker)' [Arohi_Sharma@booker.senate.gov]
Subject: Sen. Booker Staff Briefing on TSCA Reform
Location: 141 Hart
Start: 1/28/2015 6:30:00 PM
End: 1/28/2015 7:30:00 PM
Show Time As: Tentative

Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 6/9/2015 2:29:05 PM
To: 'Black, Jonathan (Tom Udall)' [Jonathan_Black@tomudall.senate.gov]
Subject: Sen. Udall TSCA Reform TA on Asbestos

Jonathan,

Our TA on asbestos depends on the use of the definition – are you just setting it into the bill or tying some requirements to it. Can you give me a quick call when you're taking a break from the discussions today?

Thanks,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Jones, Jim
Sent: Monday, June 08, 2015 5:30 PM
To: Berol, David; Grant, Brian; Mclean, Kevin; Wallace, Ryan
Cc: Cleland-Hamnett, Wendy; Kaiser, Sven-Erik
Subject: FW: Update...

fyi

From: Black, Jonathan (Tom Udall) [mailto:Jonathan_Black@tomudall.senate.gov]
Sent: Monday, June 08, 2015 5:27 PM
To: Kaiser, Sven-Erik
Cc: Jones, Jim
Subject: RE: Update...

With the latest version we are working on...

From: Black, Jonathan (Tom Udall)
Sent: Monday, June 08, 2015 4:46 PM
To: 'Kaiser, Sven-Erik'
Cc: Karakitsos, Dimitri (EPW); Jones, Jim
Subject: Update...

FYI... we're meeting again tomorrow at 930am to walk through the EPA T.A. documents we've discussed.

I don't anticipate we'll need EPA on the line for the entire thing, but may email you with some questions or interested in chatting with someone.

Just a head's up,

---Jonathan

Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 1/26/2015 6:23:10 PM
To: 'Zipkin, Adam (Booker)' [Adam_Zipkin@booker.senate.gov]
CC: Sharma, Arohi (Booker) [Arohi_Sharma@booker.senate.gov]
Subject: RE: Sen. Booker Briefing Request on TSCA

Adam,
Yes – that works, will resend scheduler. Best,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Zipkin, Adam (Booker) [mailto:Adam_Zipkin@booker.senate.gov]
Sent: Monday, January 26, 2015 12:54 PM
To: Kaiser, Sven-Erik
Cc: Sharma, Arohi (Booker)
Subject: RE: Sen. Booker Briefing Request on TSCA

Got it. Could we do Wednesday 1/28 at 1:30?

From: Kaiser, Sven-Erik [mailto:Kaiser.Sven-Erik@epa.gov]
Sent: Monday, January 26, 2015 11:29 AM
To: Zipkin, Adam (Booker)
Cc: Sharma, Arohi (Booker)
Subject: RE: Sen. Booker Briefing Request on TSCA

Adam – The dates and times were for Weds and Thurs. Tuesday didn't work at all unfortunately. Thanks,
Sven

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From: Zipkin, Adam (Booker) [mailto:Adam_Zipkin@booker.senate.gov]
Sent: Saturday, January 24, 2015 7:39 PM
To: Kaiser, Sven-Erik
Cc: Sharma, Arohi (Booker)
Subject: Re: Sen. Booker Briefing Request on TSCA

Sven just so I am clear - are those times you are proposing below for Tuesday (27th) and Weds (28th) - or for Weds (28th) and Thurs (29th)?

From: Kaiser, Sven-Erik [<mailto:Kaiser.Sven-Erik@epa.gov>]
Sent: Thursday, January 22, 2015 02:52 PM
To: Zipkin, Adam (Booker)
Cc: Sharma, Arohi (Booker)
Subject: RE: Sen. Booker Briefing Request on TSCA

Adam – is it possible to move it earlier or to the next day?

Jan 28 btwn 1:00pm – 3:00p
Jan 29 btwn 10:00a – 12:00p

Thanks,
Sven

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From: Zipkin, Adam (Booker) [mailto:Adam_Zipkin@booker.senate.gov]
Sent: Wednesday, January 21, 2015 9:53 AM
To: Kaiser, Sven-Erik
Cc: Sharma, Arohi (Booker)
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Tuesday at 3 would work. Who will be attending the meeting?

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Adam, next Tues is actually Jan 27. Thanks,
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To: 'Zipkin, Adam (Booker)'
Subject: RE: Sen. Booker Briefing Request on TSCA

Adam,
I hate to do this, we have a schedule problem and I need to move the briefing to next week. What about Tues, Jan 28 at 3pm. Apologies,
Sven

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Subject: Sen. Booker Briefing Request on TSCA

Adam,
Thanks for the briefing request. I'll check folks schedules and let you know some availabilities.
Best days and times for you next week? Best,
Sven

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Zipkin, Adam (Booker) [mailto:Adam_Zipkin@booker.senate.gov]
Sent: Friday, January 16, 2015 1:26 PM
To: Kaiser, Sven-Erik
Subject: RE: Sen. Booker contact on TSCA

Sven as discussed, we would like to discuss TSCA reform with appropriate EPA staff -- could we please try to set up a briefing for next week? Thanks. Adam

Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 1/22/2015 7:52:35 PM
To: 'Zipkin, Adam (Booker)' [Adam_Zipkin@booker.senate.gov]
CC: Sharma, Arohi (Booker) [Arohi_Sharma@booker.senate.gov]
Subject: RE: Sen. Booker Briefing Request on TSCA

Adam – is it possible to move it earlier or to the next day?

Jan 28 btwn 1:00pm – 3:00p
Jan 29 btwn 10:00a – 12:00p

Thanks,
Sven

Sven-Erik Kaiser
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1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Zipkin, Adam (Booker) [mailto:Adam_Zipkin@booker.senate.gov]
Sent: Wednesday, January 21, 2015 9:53 AM
To: Kaiser, Sven-Erik
Cc: Sharma, Arohi (Booker)
Subject: RE: Sen. Booker Briefing Request on TSCA

Tuesday at 3 would work. Who will be attending the meeting?

From: Kaiser, Sven-Erik [mailto:Kaiser.Sven-Erik@epa.gov]
Sent: Wednesday, January 21, 2015 9:42 AM
To: Zipkin, Adam (Booker)
Subject: RE: Sen. Booker Briefing Request on TSCA

Adam, next Tues is actually Jan 27. Thanks,
Sven

Sven-Erik Kaiser
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Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Kaiser, Sven-Erik
Sent: Wednesday, January 21, 2015 9:40 AM
To: 'Zipkin, Adam (Booker)'
Subject: RE: Sen. Booker Briefing Request on TSCA

Adam,
I hate to do this, we have a schedule problem and I need to move the briefing to next week. What about Tues, Jan 28 at 3pm. Apologies,

Sven

Sven-Erik Kaiser
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1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Zipkin, Adam (Booker) [<mailto:Adam.Zipkin@booker.senate.gov>]
Sent: Tuesday, January 20, 2015 8:30 PM
To: Kaiser, Sven-Erik
Subject: RE: Sen. Booker Briefing Request on TSCA

Thursday at 11 would be great – thanks Sven.

From: Kaiser, Sven-Erik [<mailto:Kaiser.Sven-Erik@epa.gov>]
Sent: Tuesday, January 20, 2015 5:33 PM
To: Zipkin, Adam (Booker)
Subject: FW: Sen. Booker Briefing Request on TSCA

Adam, do you have any time tomorrow afternoon – How about 2pm on Weds, Jan 21. We have 1-4 open. If that doesn't work, how about Thurs, Jan 22 at 11? Thanks,
Sven

Sven-Erik Kaiser
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1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Zipkin, Adam (Booker) [<mailto:Adam.Zipkin@booker.senate.gov>]
Sent: Friday, January 16, 2015 2:35 PM
To: Kaiser, Sven-Erik
Subject: RE: Sen. Booker Briefing Request on TSCA

Wednesday afternoon and Thursday morning are currently open.

From: Kaiser, Sven-Erik [<mailto:Kaiser.Sven-Erik@epa.gov>]
Sent: Friday, January 16, 2015 1:35 PM
To: Zipkin, Adam (Booker)
Subject: Sen. Booker Briefing Request on TSCA

Adam,
Thanks for the briefing request. I'll check folks schedules and let you know some availabilities.
Best days and times for you next week? Best,
Sven

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1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460

202-566-2753

From: Zipkin, Adam (Booker) [mailto:Adam_Zipkin@booker.senate.gov]

Sent: Friday, January 16, 2015 1:26 PM

To: Kaiser, Sven-Erik

Subject: RE: Sen. Booker contact on TSCA

Sven as discussed, we would like to discuss TSCA reform with appropriate EPA staff -- could we please try to set up a briefing for next week? Thanks. Adam

Appointment

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 1/21/2015 3:34:25 PM
To: 'Zipkin, Adam (Booker)' [Adam_Zipkin@booker.senate.gov]; 'Sharma, Arohi (Booker)' [Arohi_Sharma@booker.senate.gov]
Subject: Sen. Booker Staff Briefing on TSCA Reform
Location: 141 Hart
Start: 1/27/2015 8:00:00 PM
End: 1/27/2015 9:00:00 PM
Show Time As: Tentative